

### **REMARKS**

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicants have amended 1, 19 and 35. Support for the amendment includes paragraph [0028]. Accordingly, Claims 1-5, 7, 9-12, 14-20, 22, 24-26, 28 and 30-36 are currently pending in the application.

#### **I. Rejection of the Claims under 35 U.S.C. §103**

The Examiner has rejected Claims 1-5, 7, 9-12, 14-20, 22-24-25, 26, 28 and 30-36 under 35 U.S.C. §103(a) as being unpatentable over the admitted state of the art (ASA) in view of U.S. Patent Publication No. 2002/0098627 to Pomarede *et al.* ("Pomarede").

Independent Claim 1 recites among other things, "exposing the surface to a nitrogen-containing gas comprising nitrogen fluoride at a temperature of between about 500°C and 800°C and pressure of about 275 Torr to remove the contaminants from the surface." Analogous language is present in independent Claims 19 and 35.

This is in contrast to Pomerade, who discloses that his excited species treatment is performed at below about 10 Torr (Pomerade paragraph [0065] and [0066]). Pomerade specifically states that his process parameters are tuned to be sufficient for breaking surface bonds without significant bulk modification (paragraph [0065]), or to break surface bonds and create Si-N bonds without significant nitrogen diffusion into the bulk (paragraph [0066]). Therefore, one of ordinary

skill in the art would not have motive to modify Pomerade's pressure to the pressure recited in Claims 1, 19 and 35.

In view of the foregoing remarks, the prior art as applied in the Office Action does not support the rejection of Claims 1, 19, and 35 or their respective dependent claims under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner to withdraw these rejections.

## **II. Conclusion**

In view of the foregoing amendments and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a timely Notice of Allowance for Claims 1-5, 7, 9-12, 14-20, 22-24-25, 26, 28 and 30-36.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

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